



PATENT
802220-0022US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: BELLIARD et al.

GAU: Unknown

Appn. No.: 10/735,603

Examiner: Unknown

Filed: December 12, 2003

Conf. No.: 1725

For: Intervertebral Disk Prosthesis

PETITION UNDER 37 C.F.R. § 1.182

United States Patent & Trademark Office
2011 South Clark Place
Customer Window, MS Missing Parts
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

In response to the Notice to File Missing Parts dated March 25, 2004, Applicants hereby petitions under 37 C.F.R. § 1.182 for reconsideration of the indication of omitted items therein. The required fee under 37 C.F.R. § 1.17(h) should be charged to Deposit Account No. 502-927.

1. The Notice to File Missing Parts states that Figure 4c appears to have been omitted from the application.

2. The illustration that should have been labeled "Figure 4c" was actually present in the application as filed. However, the drawing sheet including that illustration includes errors in the labeling of the respective figures, such that illustration in question is missing the appropriate label. A copy of the drawing sheet from the subject application is attached for reference.

3. In evidence of the foregoing, Applicants additionally submit a copy of the corresponding drawing sheet from the priority document (filed concurrently with 05/26/2004 ZJUHAR1 00000019 502927 10735603

the subject application) is attached. The label "FIG 4C" corresponding, generally, to elements 64 and 66 is highlighted for emphasis.

4. A preliminary amendment is being filed concurrently to submit a corrected version of the drawing sheet in question.

5. In view of the foregoing, Applicants submit that Figure 4c was in fact included in the subject application at the time it was filed on December 12, 2003. Although the Notice to File Missing Parts states that the filing date has been granted, Applicants seek to ensure that no doubt exists as to the filing date in view of this issue.

6. Furthermore, in view of the foregoing, Applicant respectfully requests that the fee paid under 37 C.F.R. § 1.17(h) be refunded and credited to Deposit Account No. 502-927, Applicants having duly established that no items were missing from the application as filed.

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If needed, a Petition for Extension of Time under 37 C.F.R. § 1.136 is hereby made. Any additional fees required in connection with this paper (including extension of time fees, if required) may be charged to Deposit Account No. 502-927.

Respectfully submitted,

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Date: 05-21-2004

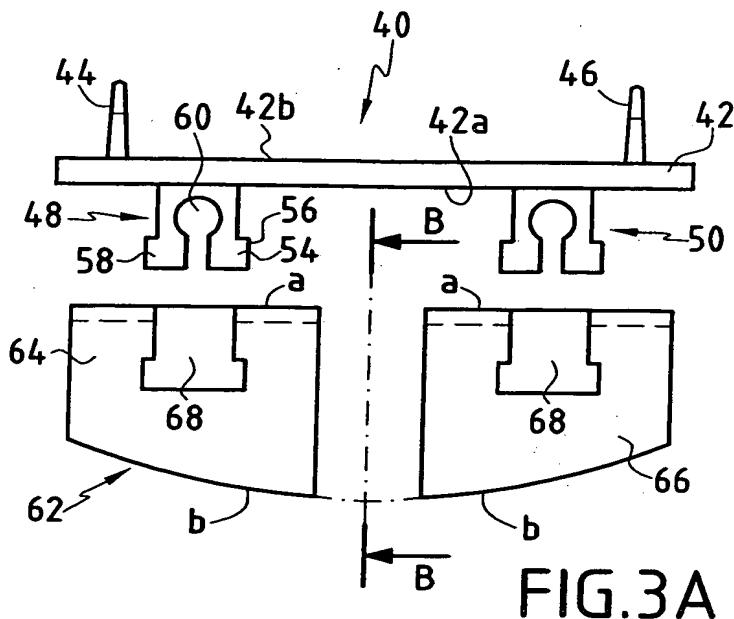


FIG.3A

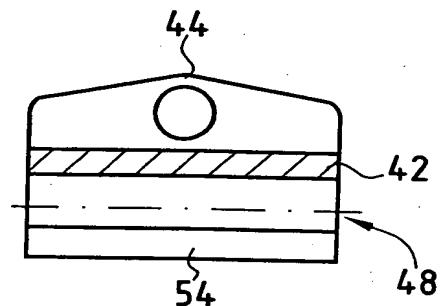


FIG. 3B

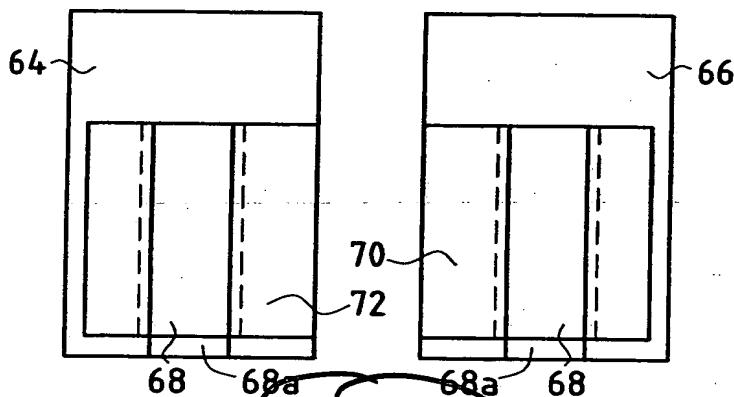


FIG.4A

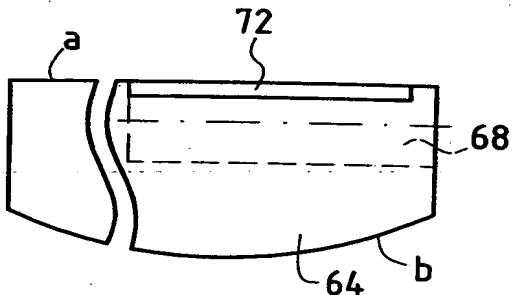


FIG. 4B

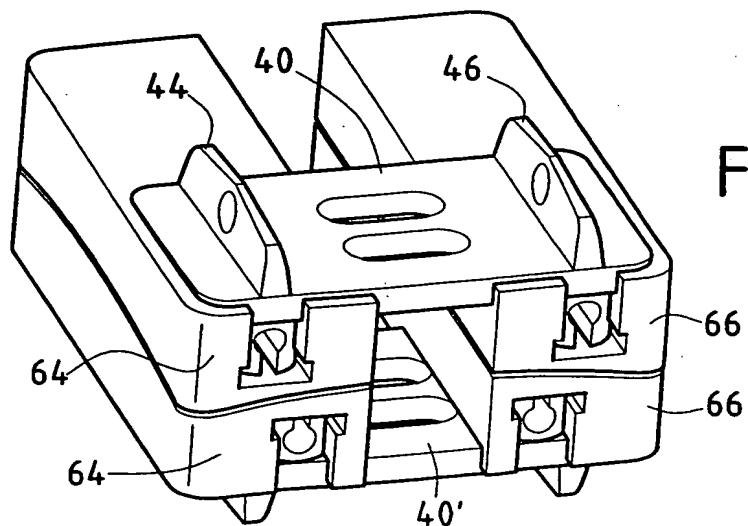


FIG.5

Drawing Sheet
from priority appln.

FIG 3A

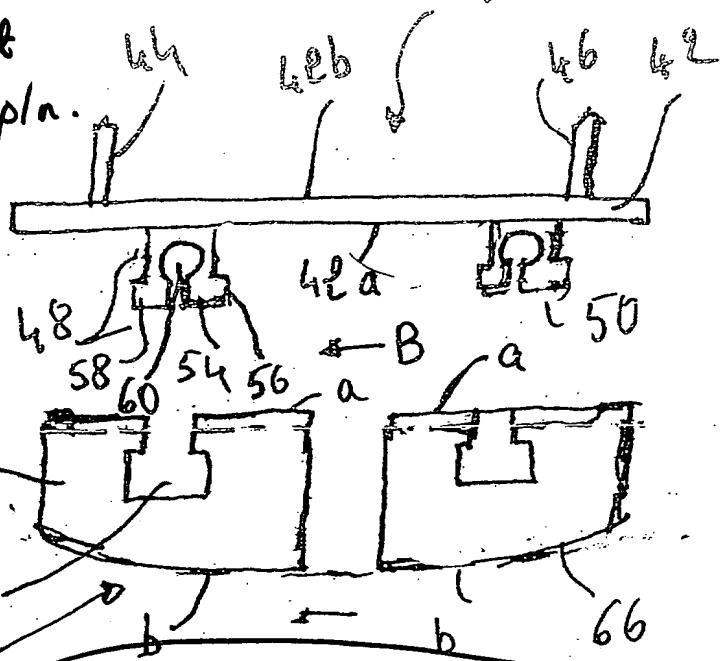


FIG 4A

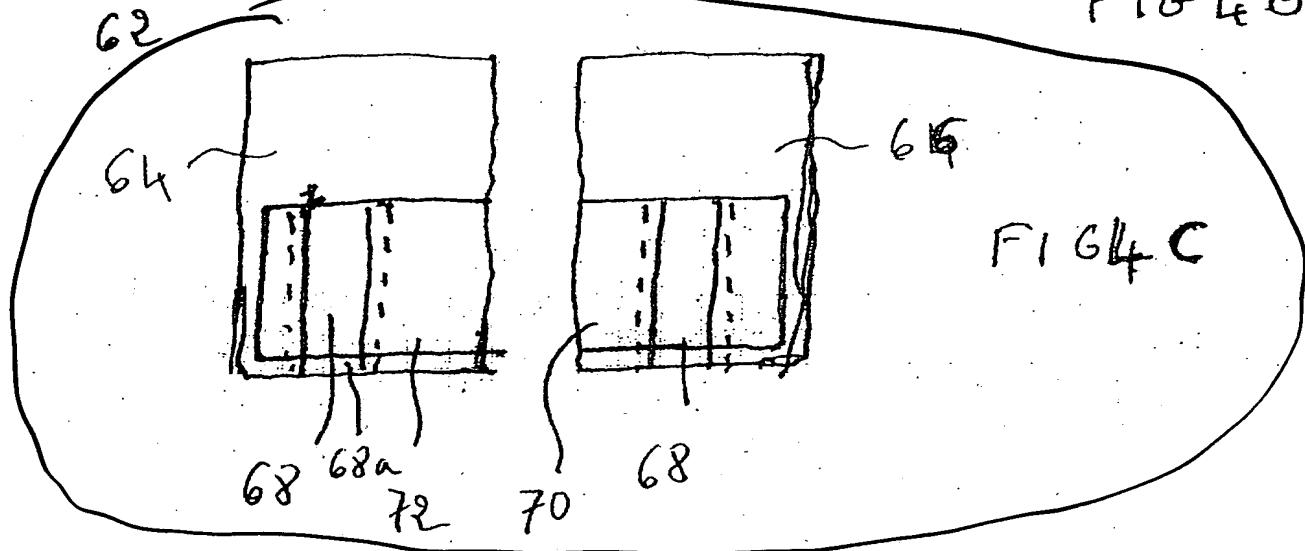


FIG 4C

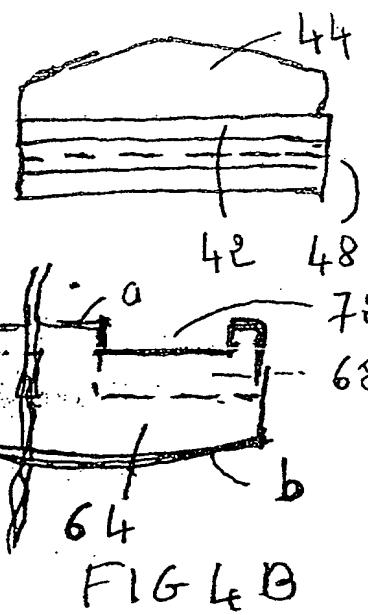


FIG 4B

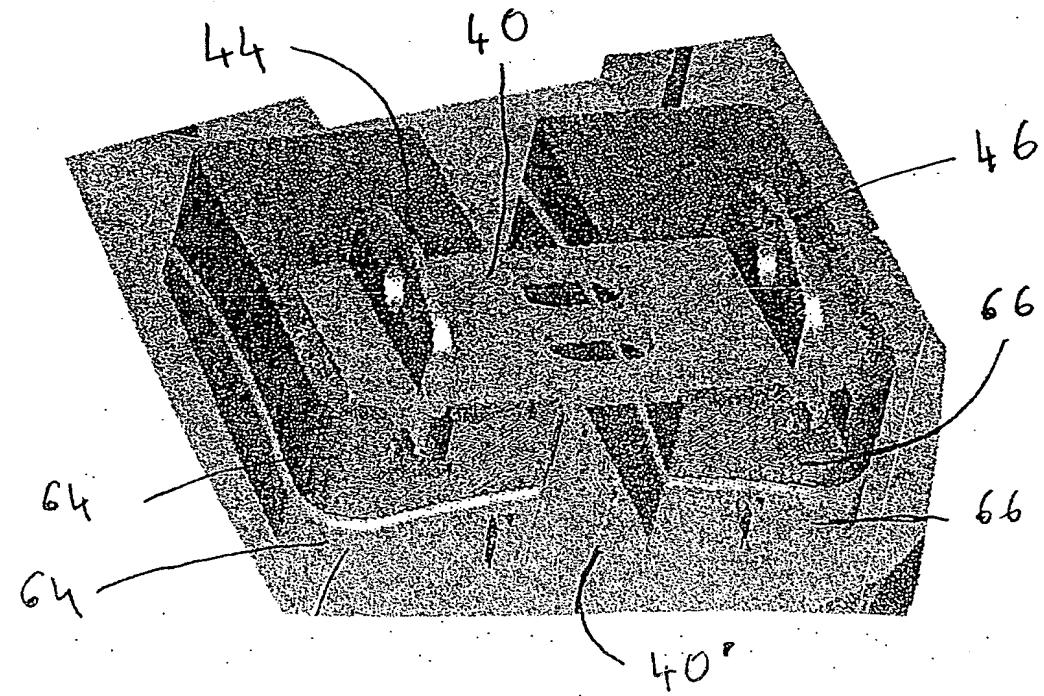


FIG 5

Corrected Drawing Sheet

